

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

<i>MAERSK OIL TRADING INC.</i>)	CASE NO: 5:23CV951
)	
Plaintiff,)	
)	
v.)	JUDGE: John R. Adams
)	
<i>B&G FUTURES INC., et al,</i>)	
)	
Defendants.)	

**JOINT MOTION TO CONTINUE THE CASE MANAGEMENT CONFERENCE
OR, ALTERNATIVELY, CONDUCT THE CASE
MANAGEMENT CONFERENCE REMOTELY**

NOW COME Plaintiff, MAERSK OIL TRADING INC. (“**MOT**”) and Defendant, Steve DiPietro (“**DiPietro**”), by and through undersigned counsel, hereby requesting that the Court continue the case management conference currently schedule for November 1, 2023, at 1:30 p.m. in Courtroom #575, U.S. Courthouse, 2 South Main Street, Akron. In the alternative, the parties request that the Court conduct the conference by remote means.

As grounds for this Motion, the parties indicate that they met pursuant to this Court’s scheduling order (*Dkt. 18*) on October 10, 2023. The parties’ Planning Meeting Report is attached hereto as ***Exhibit 1***. At that time, the parties agreed that, until such time as the third and final co-defendant, Mr. Chirag Vyas, was served, it would be difficult to proceed on the merits, agree on a discovery schedule, or discuss the prospects of settlement.

Mr. Vyas has been avoiding service since this matter was first filed earlier this year. Plaintiff has gone to great lengths to find him and, through its private investigator, believes that this most recent address it is attempting service at in Southgate, Michigan, is the correct one. The

undersigned respectfully submits that it would be the most efficient use of the Court's (and the parties') time and resources to postpone the case management conference until such time as all parties have been served.

Alternatively, a remote hearing is requested to minimize travel costs for the parties (Plaintiff and its counsel, specifically) until such time as all parties have been served.

Respectfully submitted,

MAERSK OIL TRADING INC., Plaintiff,

STEVE DIPIETRO, Defendant

s/ Zachary Barger
Its attorney

s/ Warner Mendenhall
Its attorney

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